

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "104" has been used to designate both pull down for tuning switch 98 off and a resistor connected to battery 28 and capacitor 68. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: Please include the numbers and dates of applications, to which this application claims priority from. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Belmond et al. (US 6,883,839).

With respect to claim 1, Belmond discloses a latching assembly for a door of a motor vehicle having a main electric power supply and a striker, said latching assembly comprising: a ratchet selectively rotatable with the striker to latch and unlatch the door; a pawl selectively engagable with said ratchet to selectively prevent said ratchet from rotating (figures 1-3 show pawl 8, claw 8 for locking unlocking a vehicle door, see background information); a motor (28) electrically connected to the main electric power supply and operatively connected to said pawl for pivoting said pawl into and out of engagement with said ratchet (under normal operation motor 28 is provided with power from the main battery); and a backup battery disposed adjacent said motor for supplying electric power when said motors is disconnected form the main electric supply (Belmond discloses providing a back-up battery of on the door, col. 17 lines 32-67). Furthermore, Belmond disclose on col. 1 lines 65-67; col. 2 lines 1-22; that is known to power a motor from a main battery, and a back-up battery when main power is not available.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Belmond et al. (US 6,883,839) in view of Bartel et al (US 6,056,076).

With respect to claim 2, Belmond discloses a latching assembly as set forth in claim 1, however, does not disclose a capacitive element for storing a charge for immediate discharge when said motor is disconnected from the main electric supply.

Bartel discloses on figure 3 an energy storage/capacitor 19 for supply power to a motor 16a when a main power fails controlled by controller 21.

It would have been obvious to one of ordinary skill in the art to have modified Belmond to include a capacitor to provide power to the motor when the main power source fails, for the purpose of increasing the reliability of the system and the ability to overcome problems in the case of an accident (col. 6 lines 31-37).

With respect to claim 3 Belmond in view of Bartel disclose a latching assembly as set forth in claim 2 including a voltage sensor for sensing the voltage provided by the main electric power (col. 1 lines 40-67).

With respect to claims 4-5 Belmond in view of Bartel disclose a latching assembly as set forth in claim 3 including a converter for charging and maintaining said capacitive element, wherein said converter is a DC/DC converter. Controller 21 comprises a charge manager 22 and voltage limiter 31 to control the charge provided to the energy storage unit 19.

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With respect to claims 6-7 Belmond in view of Bartel disclose a latching assembly as set forth in one of the claims above including a microcontroller for monitoring said plurality of capacitors. Microcontroller 21 monitors the capacitor/energy storage unit 19. However, do not disclose expressly that the capacitive element includes a plurality of capacitors. It is well known in the art to add plural energy storage devices in either of a plural or serial arrangement depending on the desired output power. Furthermore, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLOS AMAYA whose telephone number is (571) 272-8941. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on (571) 272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. A./
Examiner, Art Unit 2836

10-23-09

/Stephen W Jackson/
Primary Examiner, Art Unit 2836